

REMARKS

This paper is filed in response to the Office Action mailed 8 October 2003. Claims 6-18 were pending in the application. No claims have been amended, canceled, or added. Therefore, claims 6-18 are still pending in the application and are submitted for reconsideration.

Claims 6-11 and 13-17 were rejected under 35 U.S.C. § 103(a) as being obvious in view of Ezzo (US Patent No. 5,142,905). Although not explicitly stated in the office action, the Examiner's obviousness rejection appears to be made on the basis of a combination of Ezzo and Chang (US Patent No. 5,961,766).

Claims 12 and 18 were rejected under 35 U.S.C. § 103(a) as being obvious in view of Ezzo and Chang in view of Matzen (US Patent No. 5,847,375). Applicants respectfully traverse the rejections.

The present invention relates to making a joint between two component parts which have a projection, and severing the joined projections from the joined structure for use as a test specimen.

Independent claim 6 recites a method for producing at least one test piece for testing an adhesive joint. Step (a) of the method includes "providing at least two joining parts, each joining part comprising at least one joining edge and at least one projection formed integrally to the joining part and having a test edge." Step (d) requires "severing at least one of the joined projections from the joining parts" and at least one of the severed projections is provided as a test piece while at least one of the severed joining parts is provided for non-test purposes.

Independent claim 13 recites a method for evaluating an adhesive joint formed between two parts of an assembly. Step (a) includes "providing the two parts, each part comprising a projection." Step (d) requires "severing the joined projections from the joined parts" and step (e) requires "testing the adhesive joint formed between the severed projections to determine the properties of the adhesive joint formed between the joined parts."

None of the prior art cited in the office action includes all of the steps of claims 6 or 13, either singly or in combination.

Ezzo (US Patent No. 5,142,905) discloses a fixture (or jig) for making test specimens. Figure 2 of Ezzo shows a test coupon and Figures 3 and 4 show two test coupons joined together to make a test specimen. The object of the invention in Ezzo is to provide an

adhesive systems test specimen fixture that can be used in an autoclave-type environment which precisely positions the test coupons (see Ezzo column 3 lines 15-29, 40-60).

As the Examiner acknowledges, Ezzo does not disclose providing at least one of the severed joining parts for non-test purposes. This is consistent with Ezzo's disclosure of a test jig for making test samples. There is no suggestion that the test jig in Ezzo could be used to make a bonded structure to be used for non-test purposes at the same time as the test specimen as recited in claims 6 and 13. Ezzo adopts a completely different solution by disclosing an improved test jig that can be used for making test specimens under the same conditions (i.e. in an autoclave) as the bonded structures made for non-test purposes. The improved test jig disclosed in Ezzo would not be needed if the method of the present application was used – the purpose for the invention of the present application is to dispense with separately made test specimens and thus dispense with the need for test jigs such as the one disclosed in Ezzo.

Thus, there is no suggestion in Ezzo of providing at least one of the severed joining parts for non-test purposes, and Ezzo actually teaches away from the present invention by providing an alternative solution (i.e. an improved test jig) to the problem of making test specimens. For this reason there can be no motivation to combine Ezzo and Chang.

Chang (US Patent No. 5,961,766) discloses a method of selecting a substrate material with properties suitable for use in a labeling application. In the embodiment disclosed in Chang, the method involves:

- making a test sheet (30) employing a candidate substrate material (see Chang Fig. 2 and Column 6 lines 25-27) with cuts made in the material to form die-cut shapes for forming labels (see Chang Fig. 2, shapes 32-50).
- cutting a test sample (55) from the test sheet (30) (see Chang column 6 lines 40-48).
- making measurements on the test sample to measure the friction energy required to separate the die-cut shapes from the surrounding material.

Thus, Chang describes a method involving making a substrate sheet for testing, cutting off a portion of the sheet to use as test sample, and testing the sample. The test sample (55) is cut from the test sheet (30). There does not appear to be any teaching or suggestion in Chang that the test sample (55) could be used for non-test purposes. By cutting the test sample out of the test sheet it would appear that the test sheet would no longer be suitable for non-test purposes. Thus, Chang does not disclose the claimed invention but, like Ezzo, relates only to making a test specimen rather than a test specimen and a joined part for non-test purposes.

Furthermore, Chang does not disclose or suggest the other requirements of claims 6 and 18, such as providing joining parts having a projection formed integrally to the joining part and having a test edge, or severing the joined projection from the joining part, or providing a severed projection as a test piece and providing the joining parts for non-test purposes.

Applicants respectfully submit that neither Ezzo nor Chang teach or suggest the present invention either alone or in combination, and that there is no motivation to combine Ezzo and Chang for at least the reason that Ezzo teaches a different solution to making test specimens. Claims 7-12 and 14-18 depend from independent claims 6 and 13 and are thus patentable on that basis.

In view of the above, Applicants respectfully request withdrawal of the rejections and allowance of claims 6-18.

Any extension of time that may be deemed necessary to further the prosecution of this application is hereby requested. The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 08-3038, referencing the docket number shown above.

The Examiner is respectfully requested to contact the undersigned by telephone at the number given below in order to resolve any questions.

Respectfully submitted,



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